

U.S. Appl. No. 09/904,317
Reply to Office Action dated May 17, 2006

PATENT
450100-03327

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7, 9-15 and 17 are pending in this application. Claims 1, 10-15 and 17, which are independent, are hereby amended. Claims 8 and 18 are canceled without prejudice or disclaimer of subject matter. Claim 16 was previously canceled without prejudice or disclaimer of subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-15, 17 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,405,034 to Tijerino (hereinafter, merely "Tijerino").

Claim 1 recites, *inter alia*:

"An on-demand image delivery server...comprising:

a retrieval result displaying function portion displaying a view of simplified image data of image data matching a retrieval condition and/or data regarding a designated item among contents-related information attached to said image data, on a screen of the

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client terminal, for confirmation of contents of image data to be delivered,

wherein said simplified image data matching said retrieval condition is mapped to a corresponding position on a map by using attached GPS information, and a result of said mapping is displayed on said client terminal." (emphasis added)

As understood by Applicants, Tijerino relates to an adaptive communication data retrieval system for sending and receiving personalized information from a communication device via a communication network to a server based retrieval system. The adaptive communication data retrieval system has an adaptive capability to learn and become more efficient at finding focused personalized information through learned usage patterns and/or historical data.

Applicants respectfully submit that Tijerino does not teach or suggest the above identified features of claim 1. Specifically, Tijerino does not teach or suggest an on-demand image delivery server system comprising a retrieval result displaying function portion displaying a view of simplified image data, wherein said simplified image data matching said retrieval condition is mapped to a corresponding position on a map by using attached GPS information, and a result of said mapping is displayed on said client terminal, as recited in independent claim 1.

While the Office Action states that the above identified limitation is taught by Tijerino, column 3, lines 48-54 of Tijerino merely discloses "a user selects the points of interest as the major service and the communication device 40 will display the submenu of the points of interests. The submenu will display more narrowed choices associated with the major service, for example, atm locations, banks, gas stations, restaurants, grocery stores, parks, museums, hotels, department stores, entertainment, vacation spots, and any other user related data." Merely displaying the narrowed choices in a submenu does not teach or suggest that the simplified

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image data matching the retrieval condition is mapped to a corresponding position on a map by using attached GPS information.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 10-15 and 17 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 10-15 and 17 are patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portion, or portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

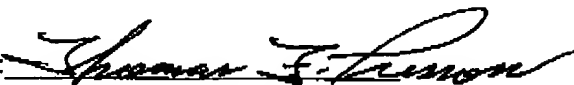
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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